

EXTRAORDINARY

भाग 🛮 — खण्ड 2

PART II — Section 2

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, बृहस्पतिवार, फरक्षरी 25, 1999 / ज्येष्ठ 22, 1920

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NEW DELHI, THURSDAY, FEBRUARY 25, 1999 / Jyaistha 22, 1920

इस भाग में भिन्न पूच्ट संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill was introduced in Rajya Sabha on 25th February, 1998.

BILL No. 5 of 1999

ABill further to amend the Army and Air Force (Disposal of Private Property)
Act, 1950—

BE it enacted by Parliament in the Fiftieth Year of the Republic of India as follows:--

1. This Act may be called the Army and Air Force (Disposal of Private Property) s Amendment Act, 1999.

Short title.

Amendment of section 7.

2. In section 7 of the Army and Air Force (Disposal of Private Property) Act, 1950 (hereinafter referred to as the principal Act), in sub-sections (1) and (3), for the words and figures "the Administrator General's Act, 1913", the words and figures "the Administrators-General Act, 1963" shall be substituted.

40 of 1950.

3 of 1913. 45 of 1963.

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Amendment of section 10.

3. In section 10 of the principal Act, for the words "ten thousand", the words "two lakhs" shall be substituted.

4 of 1912. 14 of 1987.

Amendment of section 14.

4. In section 14 of the principal Act, for the words and figures "the Indian Lunacy Act, 1912", the words and figures "the Mental Health Act, 1987" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Under section 10 of the Army and Air Force (Disposal of Private Property) Act, 1950, movable property and money belonging to a person subject to the Army Act. 1950 or the Air Force Act, 1950, may be delivered or paid by the prescribed authority to any person appearing to such authority to be entitled to such property and money, without requiring the production of any probate, letter of administration, succession certificate or other such conclusive evidence of title. This provision, however, applies only where the total amount or value of the property and money, does not exceed ten thousand rupees. In cases where the total amount or value exceeds ten thousand rupees, the heirs of the deceased person are required to establish their title by production of evidence as mentioned above.

- 2. Obtaining a succession certificate or other evidence of title as aforesaid from a court of law involves expensive, troublesome and time-consuming procedure. The figures of the last few years indicate that a large number of cases where the amount or value of the property and money exceeded ten thousand rupees could not be disposed of within a reasonable time mainly due to the requirement of production of a succession certificate, etc., resulting in great hardship to the heirs of the person belonging to the Army and the Air Force. It is, therefore, proposed to further amend section 10 of the Army and Air Force (Disposal of Private Property) Act, 1950 to raise the limit from ten thousand rupees to two lakh rupees. Sections 7 and 14 of the Act need amendments to reflect the short titles of the re-enacted Acts referred therein.
 - 3. The Bill seeks to achieve the above object.

GEORGE FERNANDES.

R.C. TRIPATHI, Secretary-General.